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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD DEAN CLARK,) No. C-97-20618-WA
Petitioner,)
vs.)
MICHAEL MARTEL, Acting Warden of) STIPULATION AND REQUEST FOR
California State Prison at San Quentin,) ORDER RE REPLY TO RESPONSE TO
California,) MOTION FOR EVIDENTIARY HEARING
Respondent) Civ. L.R. 7-12
_____) **DEATH PENALTY CASE**

The parties, having met and conferred, stipulate as follows:

WHEREAS Petitioner's Motion for Evidentiary Hearing was filed on August 1, 2012 and Respondent's Response was filed December 17, 2012;

WHEREAS this matter involves numerous and extensive factual submissions and legal analyses; and,

WHEREAS Petitioner's counsel has been occupied with preparing motions for a lengthy upcoming RICO trial in the District of Nevada that were heard on January 11, 2013, a summary judgement hearing in a complex wrongful death action in the Kern County Superior court, and a

1 summary judgement hearing in a capital case in the Central District of California now set for January
2 29, 2013.

3 IT IS HEREBY STIPULATED that Petitioner's Reply to the Response to the Motion for
4 Evidentiary Hearing be filed on or before February 8, 2013.

5 Dated: January 14, 2013

Respectfully submitted,

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7 JOHN R GRELE
8 LYNNE S. COFFIN
Attorneys for Petitioner
RICHARD DEAN CLARK

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10 By: _____ /s/
John R Grele

11 Dated: January 14, 2013

12 ALICE LUSTRE
Attorney for Respondent

13 By: _____ /s/
Alice Lustre

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15 Pursuant to stipulation, IT IS SO ORDERED.

16 Dated: January 15, 2013

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WILLIAM ALSUP
United States District Judge